

PERSONAL INJURY

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

Court File No.

John Groeneweg,

Plaintiff,

vs.

SUMMONS

Flint Hills Resources, LP,

Defendant.

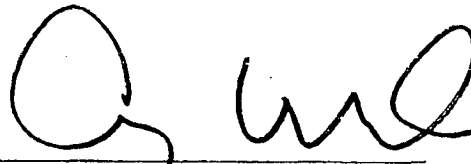
THE STATE OF MINNESOTA TO THE ABOVE-NAMED DEFENDANT:

You are hereby summoned and required to serve upon Plaintiff's attorneys an Answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

Parties are required to attempt alternative dispute resolution under Minnesota law. Alternative dispute resolution includes mediation, arbitration, and other processes as set forth in the District Court Rules. You may contact the Court Administrator about resources in your area.

Exhibit A

Date: 6-6-08

A handwritten signature in black ink, appearing to read 'C. Whalen', written over a horizontal line.

Cory P. Whalen, #0288846
Attorney For Plaintiff
Sieben, Grose, Von Holtum
& Carey, LTD
900 Midwest Plaza East
800 Marquette Ave
Minneapolis, Minnesota 55402
(612) 333-4500

PI1#448143v1

STATE OF MINNESOTA COUNTY OF DAKOTA	PERSONAL INJURY DISTRICT COURT FIRST JUDICIAL DISTRICT
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John Groeneweg,	Court File No.
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Plaintiff,

vs.

COMPLAINT

Flint Hills Resources, LP,

Defendant.

COMES NOW THE PLAINTIFF, FOR HIS CAUSE OF ACTION AGAINST THE DEFENDANT ABOVE NAMED, HE STATES AND ALLEGES AS FOLLOWS:

1. That, Plaintiff John Groeneweg (hereinafter "Plaintiff") was and is a resident of the State of Minnesota.

2. That, Defendant Flint Hills Resources, LP, (hereinafter "Defendant") was and is a foreign limited partnership doing business as a refinery in or around the City of Rosemount, County of Dakota, State of Minnesota.

3. That, on or about May 1, 2006, Plaintiff was caused to fall while lawfully on the premises of the Flint Hills Resources Pine Bend Refinery located in or around the City of Rosemount, State of Minnesota.

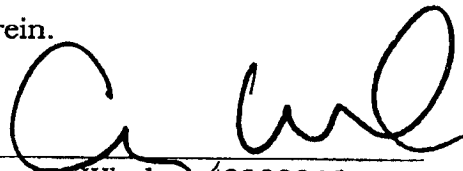
4. That, said fall was the result of the negligence and carelessness of Defendant.

5. That, as a direct and proximate result of the negligence and carelessness of Defendant, Plaintiff sustained severe and permanent injuries in both mind and body, incurring a loss of wages and wage earning ability and

medical expenses, all of which problems are continuing in nature, resulting in damage to Plaintiff in an undetermined sum at this time.

WHEREFORE, Plaintiff demands judgment against Defendant herein for a reasonable sum in excess of Fifty Thousand (\$50,000.00) Dollars, together with interest, costs, and disbursements herein.

Date: 6-6-08


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Attorney for Plaintiff
Sieben, Grose, Von Holtum
& Carey, LTD
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800 Marquette Ave
Minneapolis, Minnesota 55402
(612) 333-4500

ACKNOWLEDGMENT

The undersigned hereby acknowledges that costs, disbursements, and reasonable attorney and witness fees may be awarded pursuant to Minn. Stat. § 549.21, Subd. 2, to the party against whom the allegations in this pleading are asserted.

Date: 6-6-08


Cory P. Whalen, #0288846

**Sieben
Grose
Von Holtum
& Carey**

Know your rights

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Jeffrey S. Sieben
Bonnie A. Peterson
Michael M. Miller
Shannon C. Keil

Clint Grose (1923-1987)
John E. Von Holtum (1926-2003)

July 21, 2008

Mr. Charles Webber
Faegre & Benson
2200 Wells Fargo Center
90 South 7th Street
Minneapolis, MN 55402-3901

RE: Groeneweg vs. Flint Hills Resources

Dear Mr. Webber:

I have enclosed all medical records and bills currently in my possession. I would like to propose that we negotiate a settlement on a Naig. Despite sending several letters, I have not been able to confirm subrogation figures as the workers' compensation carrier is not communicating with my office.

Mr. Groeneweg was given a 21% impairment rating for his right ankle. As you will see in the records, Mr. Groeneweg injured his right ankle. While he was initially thought to have an ankle sprain, the injury turned out to be much more serious. Given the instability of the ankle, Mr. Groeneweg was more prone to "roll" the ankle and, ultimately, surgery was done on October 10, 2006. The operative report is enclosed with the records.

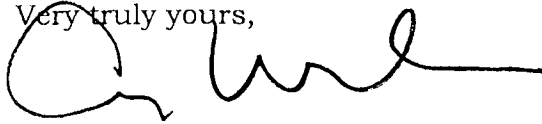
Mr. Groeneweg has been left with significant instability to the right ankle. There is no further treatment currently planned for Mr. Groeneweg. However, he continues to have daily pain and discomfort and must be extremely careful with every step that he takes. With any further injury, Dr. Watson has told Mr. Groeneweg that he will need to fuse the ankle. Mr. Groeneweg wears a special boot to assist in providing the ankle with increased stability.

Mr. Groeneweg did have a prior right ankle sprain. This occurred back in 1990. The prior right ankle sprain resolved itself and has no relationship to the current injury from May of 2006. I have enclosed copies of all records in my possession relative to the previous injury.

I feel this case has a settlement value in the \$75,000 to \$100,000 range. I have authority to extend a settlement offer in the amount of \$85,000. I look forward to hearing from you in response.

Exhibit B

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. Whalen', with a large loop at the beginning and a long horizontal stroke at the end.

Cory P. Whalen
FOR THE FIRM
CPW/cce

Enclosures

cc: John Groeneweg

PI1#452504v1